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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,094	07/28/2008	Christopher M. McGregor	6016	4154

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EXAMINER	
REDDY, SUNITA	
ART UNIT	PAPER NUMBER
2491	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/590,094	MCGREGOR ET AL.	
	Examiner	Art Unit	
	SUNITA REDDY	2491	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03/17/2008* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102 (e)

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in-
> (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, *except* that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

1. Claims 1 and 11-13 are rejected under 35 U.S.C. 102 (e) as being anticipated by Lu et al. (Pat. No.: US 6694134 B1, hereinafter referred to as "Lu").

As per independent Claim 1, Lu anticipates a method for open Internet security for mobile wireless devices comprising the steps of (Lu, Col. 1 Lines 13-20, Col. 3 Lines 33-42 and Col. 9 Lines 10-30)

providing a mobile wireless device with capabilities, including the capability to connect to the Internet via a wireless communication network (Lu, FIG.1, Col. 3 Lines 33-55, Col. 9 Lines 30-39; "enabling a user of the information processing device to simultaneously engage in voice communication with a terminal coupled to the public network, and data communication with a terminal coupled to the IP network.")

at least in part controlled by a wireless network service provider (Lu, Col. 8 Lines 34-57); and,

providing the mobile wireless device with a USIM controlled by the wireless service provider, wherein the USIM is programmed to selectively enable certain capabilities of the mobile wireless device (Lu, Col. 8 Lines 5-25, Lines 45-57 and Col. 9 Lines 30-39; identifiers include algorithms and a key to support authentication and encryption necessary to facilitate communication with the public network or private cellular network, thereby selectively controlling access to the internet) and

control access to the Internet (Lu, Col. 8 Lines 5-25; USIM and "presence of identifiers necessary to facilitate communication with the public network or private cellular network").

As per independent Claim 11, Lu anticipates a mobile wireless device (Lu, Col. 1 Lines 15-20),

operable in a wireless communication network (Lu, Col. 2 Lines 40-43)

at least in part controlled by a wireless network service provider that provides wireless network services to subscribers, comprising (Lu, Col. 3 Lines 50-55):

a mobile wireless terminal having electronics capable of communicating in the wireless communication network (Lu, Col. 7 Lines 19-43; WLAN) and

capable of connecting to the Internet (Lu, Col. 3 Lines 505-55; "IP network"); and,

a removable circuit card installable in the mobile wireless terminal, the removable circuit card being controlled by the wireless network service provider (Col. 8 Lines 20-25 and 46-58),

wherein the removable circuit card is provided to a subscriber of the service provider (Lu, Col. 8 Lines 5-25; USIM card) and

defines the subscriber's access to the service provider's wireless communication network and to the Internet through the service provider's wireless communication when the circuit card is installed in the mobile wireless terminal (Lu, Col. 8 Lines 25-57; USIM card, identifier or virtual identifier necessary to facilitate communication with public network or private cellular network.)

As per Claim 12, which is dependent upon 11, Lu further anticipates:

wherein the removable circuit card comprises a USIM (Lu, Col. 8 Lines 20-25 and 55-58; USIM card).

As per Claim 13, which is dependent upon 11, Lu further anticipates:

wherein the removable circuit card is programmed to selectively control access to the Internet (Lu, Col. 8 Lines 5-25, Lines 45-57 and Col. 9 Lines 30-39; identifiers include algorithms and a key to support authentication and encryption necessary to facilitate communication with the public network or private cellular network, thereby selectively controlling access to the internet).

Claim Rejections – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: **(See MPEP Ch. 2141)**

a. Determining the scope and contents of the prior art;
b. Ascertaining the differences between the prior art and the claims in issue;
c. Resolving the level of ordinary skill in the pertinent art; and
d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

2. Claims 2-10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Zhu et al. (Pub. No.: US 2003/0014659 A1, hereinafter referred to as "Zhu").

As per Claim 2, which is dependent upon Claim 1, Lu discloses:

USIM card (Lu in Col. 8 Lines 20-25 and 55-58; USIM card).

Lu does not explicitly disclose:

wherein the control of access to the Internet is regulated by the networked device according to predetermined criteria (Zhu, Para. [0029] discloses "managing user can additionally select from a predetermined set of link filters to be associated with each URL in the URL filtering database on a per user basis. As used herein, "link filters" comprise permissions for functions that either allow access to a source of content such as the gateway 112 of online service provider and associated servers (not shown) and/or transform or interpret data transferred from the source of content 102 for a browser").

However, Zhu discloses:

Therefore, a PHOSITA (Person Having Ordinary Skill in the Art) at the time of the invention would have found it obvious to modify the communication network system having a WLAN and an WLAN enabled portable information processing device that enables a user of the portable device to simultaneously engage in voice communication with a cellular network and data communication with the IP network (Lu, Abstract) as taught by Lu using a system that enables a managing user to select from a predetermined set of link filters to be associated with each URL in the URL filtering database on a per user basis that either allow access to a source of content such as the gateway of online service provider and associated servers and/or transform or interpret data transferred from the source of content for a browser (Zhu, Para.[0029]) as taught by Zhu from the combined teachings of Lu and Zhu as a whole with a reasonable motivation to successfully derive a method that enables browsing electronic content on the network under control of a filter that is configurable per user; and offers respective configuration options for the filter for selectively disabling or enabling access to the content in respective scenarios. (Zhu, [0030]).

As per Claim 3, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

wherein the predetermined criteria restricts access to a list of approved Internet web sites (Zhu, Para. [0029]).

As per Claim 4, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

wherein the predetermined criteria restricts access to a list of approved web pages (Zhu, Para. [0016] and Para. [0029]).

As per Claim 5, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

wherein the predetermined criteria restricts access to approved Internet services (Zhu, Para. [0029]).

As per Claim 6, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

wherein the predetermined criteria restricts access to approved Internet products (Zhu, Para. [0029-0030]).

As per Claim 7, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

comprising the step of providing an intermediate proxy service between Internet content, service and product providers (Zhu, Para. [0018] and Para. [0022]; "proxy")

that qualifies the content of the transmissions of the Internet content, service and product providers to the subscribers of the wireless network service providers and stamps the content of the transmission with a content identifier (Zhu, Para.[0023]);

categorizing the content identifiers into different classes (Zhu, Para. [0018] and Para. [0023] and Para. [0025]; "filters and takes appropriate action"); and,

programming the USIM device of a subscriber to allow access to only predetermined classes (zhu, Para. [0030]; "selectively disabling or enabling access to the content in respective scenarios". Furthermore, Lu in Lu in Col. 8 Lines 20-25 and 55-58 discloses USIM card).

As per Claim 8, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

the content identifiers are categorized in different levels and wherein the USIM of the subscriber allows access to selected levels according to a subscriber plan (Zhu in Para. [0030] discloses "The ISP may provide access to different packages of content at different prices. A particular package may be characterized by a quality of service (e.g., color vs. black/white, or higher resolution vs. lower resolution), access to specific semantic content or to Web sites that ordinarily attract high traffic. The user's filtering criteria can then be used to tailor an access package for this specific user. The filtering or the layered access is then a tool for the ISP in order to control, at least to some extent, the data traffic to and from the terminals of the subscribers." Furthermore, Lu in Col. 8 Lines 20-25 and 55-58 discloses USIM card.).

As per Claim 9, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

the charges for different levels are different and the access to selected levels is provided according to the level of service provided in the subscriber plan (zhu, Para.

[0019] and Para. [0030]; "ISP may provide access to different packages of content at different process. A particular package may be characterized by a quality of service").

As per Claim 10, which is dependent upon Claim 2, the combination of Lu and Zhu as a whole further discloses:

step of analyzing the transaction events for a selected subscriber USIM and accounting for transmissions allowed to the subscriber by the subscriber's USIM (Zhu, Para.[0019] and Para.[0030]; "the service provider or network operator can affect the network load by charging the individual user an increased fee dependent on the time of the day or the frequency of access. On the other hand, the access criteria may be specified by the user or by the person whose account is going to be charged for the data services." Furthermore, Lu in Col. 8 Lines 20-25 and 55-58 discloses USIM card).

As per Claim 14, which is dependent upon Claim 11, Lu discloses

Lu does not explicitly disclose:

the removable circuit card (Lu, Col. 8 Lines 20-25 and 55-58; USIM card)

However, Zhu discloses:

network device is programmed to process content identifiers for blocking access to Internet content having certain predesignated content identifiers (Zhu, Para. [0029]; "managing user can additionally select from a predetermined set of link filters to be associated with each URL in the URL filtering database on a per user basis. As used herein, "link filters" comprise permissions for functions that either allow access to a source of content such as the gateway 112 of online service provider and associated

servers (not shown) and/or transform or interpret data transferred from the source of content 102 for a browser."),

wherein the content identifiers are established by a proxy in association with the service provider (Zhu, Para. [0018], Para. [0022] and Para. [0024]; "proxy").

Therefore, a PHOSITA at the time of the invention would have found it obvious to modify the communication network system having a WLAN and an WLAN enabled portable information processing device that enables a user of the portable device to simultaneously engage in voice communication with a cellular network and data communication with the IP network (Lu, Abstract) as taught by Lu using a system that enables a managing user to select from a predetermined set of link filters to be associated with each URL in the URL filtering database on a per user basis that either allow access to a source of content such as the gateway of online service provider and associated servers and/or transform or interpret data transferred from the source of content for a browser (Zhu, Para.[0029]) as taught by Zhu from the combined teachings of Lu and Zhu as a whole with a reasonable motivation to successfully derive a method that enables browsing electronic content on the network under control of a filter that is configurable per user; and offers respective configuration options for the filter for selectively disabling or enabling access to the content in respective scenarios. (Zhu, [0030]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunita Reddy whose telephone number is (571) 270-5151. The examiner can normally be reached on Mondays through Fridays from 7:30 AM -5:00

PM with every first Friday off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Hai Tran can be reached on (571) 272-7305. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SUNITA REDDY
Examiner, Art Unit 2491

/Edan Orgad/

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